



# MAYOR AND COUNCIL WORKSESSION

NO. 5  
2004

DEPT.: / Community Planning and Development Services

DATE: November 10,

CONTACT: Edward J. Duffy

**SUBJECT FOR DISCUSSION:** Moderate Priced Dwelling Units and Affordable Housing Programs

**ORDER OF DISCUSSION:**

Housing Programs In Rockville

Possible Changes to MPDU Ordinance

Housing For Elderly Issues

Recommendation of No Changes to MPDU Income Requirements

Recommendation of No Changes to MPDU Maximum Rents

**GENERAL DIRECTION SOUGHT AND SPECIFIC QUESTIONS TO BE ANSWERED:**

There has been a considerable amount of interest expressed by the Mayor and Council regarding housing issues in Rockville. Some of that interest has involved the possibility of improving the MPDU Ordinance as well as investigating the opportunity to provide more housing for the elderly. The following questions have been developed in an effort to allow the Mayor and Council to provide direction to staff as to how Rockville may address its housing needs. With that direction in hand, staff can then come back with more specific recommendations.

Should the City change its MPDU Ordinance and if so what changes should be considered?

There have been suggestions about making special provisions in the MPDU Ordinance to give priority to senior citizens. If this is done, the first time homebuyer requirement should be eliminated for seniors and a definition of "senior citizen" will have to be established. It might also be advisable to create some flexibility in the ordinance that would allow the Mayor and Council to approve MPDU "set-asides" for senior housing. Should the "MPDUs for the elderly contain the amenities frequently found in housing for the elderly units such as elevated electric receptacles or wider doors? In order to protect the economic viability of a rental complex, there be a specified period of time (30 days) in which to hold a vacant senior MPDU rental unit before it can be rented to a younger MPDU eligible household?

Some of the MPDU rental communities meet their MPDU requirement with primarily one-bedroom units. Should consideration be given to requiring that MPDUs be provided in proportion to the unit mix in the rest of the complex? The current MPDU waiting list contains 30% one person households, 24% two person households, 26% three person households and 20% with four or more persons.

Montgomery County is considering some major changes to its MPDU Ordinance ((Attachment 6). Fairfax County has its Affordable Dwelling Unit (ADU) that ties the MPDU requirement of some areas to its Consolidated Plan (Attachment 8). A Consolidated Plan is a HUD requirement for CDBG entitlement communities. Rockville comes under the County Consolidated Plan. Fairfax also has

different price control periods. Rockville only has two, 10 years for units built before January 2001 and 30 years for units built since that time.

The Rockville MPDU Ordinance is working as intended. It is not recommended that any wholesale changes be made. It is however recommended that Rockville Chapter 13.5, Moderately Priced Housing be amended to include a requirement that MPDU units be provided in direct proportion to the mix of unit sized provided in the entire development. The City Attorney should examine the issue of "set-asides" for senior citizens for legality. If legal, the MPDU Ordinance should be modified to provide for "set-asides" for senior citizens. Finally, a definition of Senior Citizen needs to be established for inclusion in the ordinance. It is suggested that persons 60 years of age be eligible for senior housing.

#### How involved should the City be in providing affordable housing programs?

Attachment four describes the types of housing communities and programs available to Rockville residents. The primary vehicle for providing affordable housing in Rockville at this time is the MPDU program. Federal housing programs have virtually vanished which is why Rockville Housing Enterprises is purchasing MPDU units. That effort is stopping because RHE currently lacks the funds to buy additional units. Should Rockville underwrite the purchase of additional MPDUs by RHE by providing loans and/or grants?

It is recommended that if resources are available, the City should assist RHE to acquire MPDU units.

#### What types of housing programs should the City undertake?

There has been discussion about the need for additional housing for the Elderly. The federal government no longer funds the programs previously used to provide such housing. Tax credits may be used to develop elderly housing but that is a complicated program that most developers do not want to bother with. Rockville uses CDBG funds to rehabilitate the homes of low/moderate income households. In the past, Rockville used its own funds to assist with the rehabilitation of the Lenmore Apartments. There does not appear to be sufficient City resources to fund addition elderly housing development. How involved should the City be in providing affordable housing for the elderly?

The City does not have the resources to develop affordable housing for senior citizens. It should however, encourage providing senior units through the MPDU rental program and continue to give the elderly the right of first refusal to purchase MPDU units. Rockville should also seek opportunities to encourage the development of affordable senior housing by the private sector.

#### Should there be changes to MPDU Income Requirements and maximum MPDU Rents?

The memorandum identified as Attachment 5 explains that because there was a \$6,700 decrease in the median income for the Washington area a recommendation is made that there be no changes to the income eligibility requirements for the MPDU program. In addition, since MPDU rents are computed by using the adjusted median income it is recommended that no change be made to MPDU maximum rents

Affordable housing is a complex issue with no easy answers. Even the term "affordable" means different things to different people. It is hoped that by discussing some of the issues contained in the preceding paragraphs the Mayor and Council will provide sufficient guidance for staff to develop more specific recommendations.

**LIST OF ATTACHMENTS:**

- 1-Housing Program Glossary
- 2-Description of Rockville MPDU Program
- 3-Chapter 13.5 of the Rockville City Code, Rockville MPDU Ordinance
- 4-Rockville Affordable Housing Communities
- 5-MPDU Income Eligibility Requirements and Rents
- 6-Proposes Changes to Montgomery County MPDU Ordinance
- 7-Fairfax County "Low and Moderate Income Housing Guide"
- 8-"Key Provisions of the Fairfax County Affordable Dwelling Unit (ADU) Ordinance"
- 9-"Arlington's Goals and Targets for Affordable Housing"

## HOUSING PROGRAM GLOSSARY

### HOPE VI

HOPE VI Revitalization grants are intended to assist public housing agencies to:

- (1) Improve the living environment of public housing residents of severely distressed public housing projects and certain eligible small public housing projects through the demolition, rehabilitation, reconfiguration, or replacement of public housing projects or portions thereof.
- (2) Revitalize sites on which public housing projects are located and contribute to the improvement of the surrounding neighborhood.

### LOW-INCOME PUBLIC HOUSING

The Housing act of 1937 established a permanent public housing program that led to the expansion of local housing authorities. Under the public housing program the Local Housing Authority (LHA) issues housing development bonds which are backed by the full faith and credit of the U.S. Government and which are exempt from federal income taxes. The bond proceeds are used to build housing that is to be rented to low- income household.

An annual contributions contract (ACC) is executed between the LHA and HUD to cover the debt service over the life of the bonds. The LHA also receives an annual subsidy from HUD, which combined with unit rent, is used to operate the public housing program. Housing Authorities enter into Cooperation Agreements with the local governments under which local services and housing authority payments are agreed to. LHAs usually make payments in lieu of taxes (PILOT) equal to 10% of shelter rent to the local governments instead of ad valorem taxes. In the case of RHE, the Mayor and Council have waived PILOT.

Low-income public housing was traditionally built as "projects" on one site. More recently, emphasis was placed on the construction or purchase of "scattered site" individual units.

Virtually no new low-income public housing is currently being funded by HUD.

### SECTION 8 RENT SUPPLEMENT

Section 8 is a rent supplement program funded through the U.S. Department of Housing and Urban Development. It was created through the Housing and Community Development Act of 1975. There are two types of Section 8 programs, both of which provide for a resident to pay no more than 30% of adjusted gross income as shelter rent.

**Project based Section 8** provides rent supplement payments for residents of a specific property which has entered into a contract with the U.S. Department of Housing and Urban Development. There are three Section 8 properties in Rockville; Rocklin (Lenmore) Apartments in Lincoln park, Heritage Park, a Section 8 Cooperative on Dawson Avenue and Heritage House, a 100 unit Housing for the Elderly building on Dawson Avenue.

**Portable Section 8 Vouchers and/or Certificates** are issued by participating housing authorities to eligible households (usually with incomes below 50% of median). The participants use the vouchers to rent homes from private landlords. The resident pays 30% of adjusted gross income to the landlord as rent. The LHA sends a check to the landlord each month for the balance between what the tenant pays and the fair market rent (FMR) for the property as computed by the HUD Area Economist. In some cases, the tenant possessing vouchers may also have to pay the difference between the Fair Market Rent and the actual rent. Federal regulations do not, however, allow the tenant to pay more than 40% of adjusted gross income for rent. Households do not have to remain in their home community to use a Section 8 voucher. They may take the voucher anywhere in the country.

Section 8 certificates are slightly different from vouchers in that tenants possessing certificates must live in units with rents at or under the FMR for the area.

### **SECTION 8 HOME OWNERSHIP VOUCHERS**

Home ownership vouchers assist first time homebuyers with their monthly housing expenses. The vouchers come from the LHA's existing voucher program. Participating households must have an income of at least the Federal minimum hourly wage x 2,000 hours. Welfare assistance is not counted as income unless the participant is elderly or has a disabled family member. The LHA uses the same payment schedule for home ownership as it does for rental units, i.e. the lessor of the FMR minus the tenant payment or the family's monthly homeownership expenses minus the tenant payment. The LHA may make payment directly to the mortgage holder.

Assistance can be provided for up to 15 years if the mortgage is for 20 years or longer. Shorter mortgage terms are eligible for only 10 years of assistance. There is no time limit on assistance to elderly households.

Section 8 Home Ownership is a new program that is just beginning to be undertaken by LHAs.

### **UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION ACT**

The Uniform Act was adopted by Congress and signed into law in 1986. It established standards of relocation assistance for all persons displaced by activities utilizing federal funds or assistance. If federal funds or assistance are involved in a project or program in any way, even if the majority of funding comes from other sources, the standards of the Uniform Relocation Act must be met. The Act requires:

- Payment for actual, reasonable expenses incurred in moving.
- Comparable replacement dwellings must be identified before displacement.
- An occupant renting a replacement home must receive rental assistance for at least 48 months.

- All persons to be displaced must be advised about their rights to relocation assistance. They must have their relocation needs assessed. They must be referred to replacement properties and must be provided with assistance to minimize any hardships.
- Vacate notice to households cannot be effective until at least 90 days after a comparable replacement dwelling has been identified and made available.



City of Rockville

## MEMORANDUM

May 21, 2004

TO: Catherine Tuck Parrish, Acting City Manager

FROM: Edward J. Duffy, Community Development Program Manager

VIA: Arthur D. Chambers, AICP, Director Community Planning and Development Services

SUBJECT: Rockville MPDU Program

All new residential developments in the City of Rockville exceeding fifty (50) units must, in accordance with Chapter 13.5 of the Rockville City Code, have at least 12.5% of their units meet the criteria of the moderately priced dwelling unit (MPDU) program. In the Town Center and Rockville Pike zones, the MPDU requirement is 15%. The designated units must have covenants recorded that will provide for adherence to the requirements of the MPDU program for a period of thirty years.

The City establishes the MPDU income eligibility criteria to ensure program participation by households whose incomes do not exceed 60% of the median income for the Metropolitan Washington area as established by the Area Economist of the U.S. Department of Housing and Urban Development. Income limits are based on household size. Currently the MPDU income limits are:

1 person household	\$36,500
2 person household	\$41,800
3 person household	\$47,000
4 person household	\$52,200
5 person household	\$56,400

These limits will be increased within the next two months.

The prices for "sale" MPDU units are established by a formula contained in the MPDU regulations. Prices of "for sale" MPDUs have ranged from the mid \$80,000s for condominium units and piggyback townhouses to \$126,000 for single-family detached units. There are currently 215 households on the "for sale" MPDU Waiting list.

The City establishes the rents for rental MPDU units, using criteria set forth in the MPDU Regulations. MPDU rents currently are:

1 Bedroom	\$871.00 per month
2 Bedrooms	\$979.00 per month
3 Bedrooms	\$1,143.00 per month

These rents will be recomputed when the household income limits are increased. Persons 62 years of age or older are given priority for occupancy of rental MPDU units. There has been a problem with renting MPDU units to senior citizens because many of the units built at King Farm and Falls Grove have been walk-ups. The units to be built in Town Center will have elevators making them more accessible for the elderly and persons having mobility difficulties.

There is no waiting list for rental MPDU units. Eligible persons are provided with a MPDU Certificate and a list of apartment complexes which contain MPDUs. The applicant approaches the apartments on their own and presents the certificate. The certificate is valid for one year. At the end of the year, it must be renewed. Section 8 Housing Opportunity Vouchers are sometimes used in conjunction with the MPDU program. Leasing agents frequently contact this office when they have MPDU vacancies. Approximately 25 rental MPDU applications are received each week.

The Mayor and Council special projects list contains a project on "affordable housing." Work on that project will begin in the fall and will include considerations of modifications to the MPDU program.

The Rockville MPDU program has been quite successful. To date, the program has provided 291 rental MPDU units and 311 sale MPDU units. There are 52 rental units currently under construction at Congressional South and seven additional sale units will be produced by the end of the year at King Farm.



## Chapter 13.5

## MODERATELY PRICED HOUSING

## Sec. 13.5-1. Legislative findings.

The Mayor and Council of Rockville hereby finds that a severe housing problem exists within the City with respect to the supply of housing relative to the need for housing for residents with low and moderate incomes. Specifically, the Mayor and Council finds:

(1) The City is experiencing an increase in residents of or approaching retirement age, with consequent fixed or reduced incomes; young adults of modest means forming new households; government employees in moderate income ranges; and mercantile and service personnel needed to serve the expanding industrial and commercial base and population growth of the City;

(2) The supply of moderately priced housing has grown at a radically slower pace than the demand for such housing;

(3) The inadequate supply of housing in the City for persons of low and moderate income results in large scale commuting from outside the City to places of employment within the City thereby overtaxing existing roads and transportation facilities, significantly contributing to air and noise pollution all adversely affecting the health, safety and welfare of and resulting in an added financial burden on the citizens of the City;

(4) Demographic analyses indicate that public policies which permit exclusively high priced housing development discriminate against young families, retired and elderly persons, single adults, female heads of households and minority households, and such policies produce the undesirable and unacceptable effects of exclusionary zoning, thus failing to implement the Rockville housing goals and objectives and the housing goal of the general plan for the City;

(5) Experience indicates that the continuing high level of demand for more luxurious housing, with a higher profit potential, discourages developers from offering a more diversified range of housing, and the production of moderately priced housing is further deterred by the high cost of land, materials and labor;

(6) Ensure that private developers constructing moderately priced dwelling units under this chapter incur no loss or penalty as a result thereof, and have reasonable prospects of realizing a profit on such units by virtue of the MPDU density bonus provision of Chapter 25.

(7) Allow developers of residential units in qualified projects more flexibility to meet the broad objective of building housing that low and moderate income households can afford by letting a developer, under specified circumstances, comply with this chapter by contributing to a Moderately Priced Housing Fund.

(8) Encourage the construction of moderately priced housing by allowing certain governmental fees to be waived for a development that includes moderately priced housing.  
(Ord. No. 29-90, 9-10-90)

### Sec. 13.5-3. Definitions.

The following words and phrases, as used in this chapter, have the following meanings:

*Applicant* means any person, firm partnership, association, joint venture, corporation, or any other entity for combination of entities, and any transferee of all or part of the land at one (1) location, who after this chapter takes effect:

(1) Submits for approval or extension of approval a preliminary plan of subdivision under Chapter 25 which plan provides for the development of a total of fifty (50) or more dwelling units at one (1) location in one (1) or more subdivisions, parts of subdivisions, resubdivisions, or stages of development, regardless of whether any part of the land has been transferred to another party or;

(2) Submits to the City a plan of housing development for any type of use permit review or development approval required by law, which plan includes construction or development of fifty (50) or more dwelling units at one (1) location; or

(3) With respect to all land not subject to subdivision approval or use permit review, applies for a building permit or permits under Chapter 5, which permit is or permits are for the

(4) Which is already subdivided or is ready to be subdivided for construction or development.

*Closing costs* means statutory charges for transferring title, fees for obtaining necessary financing, title examination fees, title insurance premiums, house location survey charges and fees for preparation of loan documents and deed of conveyance.

*Consumer price index* means the latest published version of the consumer price index for all urban consumers (CPI-U) of the U.S. Department of Labor for the Washington Metropolitan area, or any similar index selected by the City Manager.

*Date of original sale* means the date of settlement for purchase of a moderately priced dwelling unit.

*Date of original rental* means the date the first lease agreement for a moderately priced dwelling unit takes effect.

*Department* means the Department of Community Development.

*Director*, except as otherwise indicated, means the head of the Department of Community Development, or the Director's designee.

*Dwelling unit* means building or part of a building that provides complete living facilities for one (1) family, including at a minimum facilities for cooking, sanitation and sleeping.

*Eligible person* means a person or household whose income qualifies the person or household to participate in the MPDU program, and who holds a valid certificate of eligibility from the Department which entitles the person or household to buy or rent a moderately priced dwelling unit during the priority marketing period.

*Housing agency* means the Housing Authority of the City of Rockville or such other agency or organization as the Mayor and Council may designate.

*Low income* means levels of income within the income range for "very-low income families" established from time to time by the U.S. Department of Housing and Urban Development for the

*Planning Commission* means the Rockville Planning Commission.

(Ord. No. 29-90, 9-10-90)

**Sec. 13.5-4. Determination of income and eligibility standards.**

The City Manager shall establish standards of eligibility for the MPDU program in regulations adopted and which shall be revised when changes in market condition affect the ability of moderate income households to buy or rent housing. These standards shall establish moderate income levels for varying sizes of households, which will qualify a person or household to participate in the MPDU program. In establishing standards of eligibility and moderate income levels, the City Manager shall consider the price established for the sale or rental of MPDU's under this chapter, the term and interest rate that applies to the financing of such dwelling units, the estimated levels of income necessary to carry a mortgage on such dwelling units, and family size and number of dependents.

(Ord. No. 29-90, 9-10-90)

**Sec. 13.5-5. Requirement.**

(a) Any applicant, in order to obtain a building permit must submit to the Division of Licenses and Inspection, with the application of a permit, a written MPDU agreement approved by the Mayor and Council and by the City Attorney that provides the required number of moderately priced dwelling units.

(b) Except as provided herein, the required number of MPDU's shall equal twelve and one-half (12.5) percent of the total units in the development.

(c) When the development at one (1) location is in any zone which provides for an MPDU density bonus and (1) is covered by a plan of subdivision, or (2) is covered by a special development procedure or a use permit, or (3) requires a building permit to be issued for construction, the required number of moderately priced dwelling units is a variable percentage that is not less than twelve and one-half (12.5) percent of the total number of dwelling units at that location. Except as specified in subsections (c) and (d), the

ment) the number of MPDU's shall not be less than either the number of density bonus units or twelve and one-half (12.5) percent of the total number of units, whichever is greater.

(e) In Town Center and Rockville Pike Corridor (RPC) zones, at least fifteen (15) percent of the total number of dwelling units must be MPDU's.

(f) (1) Instead of building the required number of MPDU's an applicant may offer to:

a. Build significantly more MPDU's at one (1) or more other sites in the city.

b. Convey land in the city that is suitable in size, location and physical condition for significantly more MPDU's.

c. Contribute to the Moderately Priced Housing Fund an amount that will produce significantly more MPDU's; or

d. Do any combination of these alternatives that will result in building significantly more MPDU's.

(2) The offer may be accepted if the Mayor and Council finds that:

a. In the project or subdivision originally proposed by the applicant, an indivisible package of resident services and facilities to be provided to all households would cost the occupants of the MPDU's so much that it is likely to make the MPDU's effectively unaffordable by eligible households, and

b. An offer made by an applicant under subsection (f)(1) will achieve significantly more MPDU's or units which low and moderate-income households can more easily afford; and

c. Acceptance of the applicant's offer will achieve the objective of providing a broad range of housing opportunities throughout the City; and

d. Extraordinary circumstances make building the required number of MPDU's as part of the project impractical.

(3) The procedures for considering and implementing alternative offers shall be established by the Mayor and Council. To implement an offer, the applicant must sign an agreement with

land to the City in whole or in part whenever the public interest would best be served thereby. Any such rejection and the reasons for the rejection may be considered by the Mayor and Council in deciding whether to grant the applicant a waiver of this chapter under section 13.5-6(b).

(h) The MPDU agreements shall be signed by the applicant and all other parties whose signatures are required by law for the effective and binding execution of contracts conveying real property. The agreements must be executed in a manner that will enable them to be recorded in the land records of Montgomery County. If the applicant is a corporation, the agreements must be signed by the principal officers of the corporation individually and on behalf of the corporation. Partnerships, associations or corporations shall not evade this chapter through voluntary dissolution. The agreements may be assigned if the City approves, and if the assignees agree to fulfill the requirements of this chapter.

(i) The applicant shall file with the first application for a building permit hereunder the MPDU agreements and a statement of all land the applicant owns in the City that is available for building development. In later applications, the applicant need only show addition and deletions to the original landholdings available for building development.

(j) The written agreement to build MPDU's must include the number, type, location and plan for staging construction of all dwelling units and such other information as may be required by the City to determine the applicant's compliance with this chapter. The staging plan for all dwelling units under the building permit must be so arranged that MPDU's will be built along with or before other dwelling units, so that no or few dwelling units that are not MPDU's are built before the applicant builds any MPDU's.

(k) If an applicant does not build the MPDU's contained in the staging plan with or before other dwelling units, the City may withhold any later building permit to the applicant until the MPDU's contained in the staging plan are built.

nance or the administration of other laws or regulations. When any part of the land that dwelling units cannot be built on for physical reasons is used to compute permitted density, the applicant's inability to use the optional density bonus provisions is not in itself grounds for waiving the MPDU requirements. Any waiver must be strictly construed and limited.  
(Ord. No. 29-90, 9-10-90)

**Sec. 13.5-7. Maximum prices and rents of moderately priced dwelling units.**

Moderately priced dwelling units shall not be sold or rented at prices or rents that exceed the maximum prices or rents established under this section.

(1) *Sales.*

a. The sale price of any MPDU, including closing costs and brokerage fees, shall not exceed an applicable maximum sale price established from time to time by the Mayor and Council.

b. The Mayor and Council in issuing MPDU sale price regulations shall seek appropriate information, such as current general market and economic conditions and the current minimum sale prices of private market housing in the City, and shall consult with the building industry, employers, and professional and citizen groups to obtain statistical information which may assist in setting a current maximum sale price. The City Manager, shall, from time to time, consider changes in the income levels of persons of low and moderate income and their ability to buy housing. The Mayor and Council shall also consider the extent to which, consistent with code requirements, the cost of housing can be reduced by the elimination of amenities, the use of cost-reducing building techniques and materials, and the partial finishing of certain parts of the units.

c. The Mayor and Council shall issue maximum sale prices for MPDU's which continue in effect until changed by later regulation. The maximum sale prices shall be based on the necessary and reasonable costs required to build and market the various kinds of MPDU's by private industry. The sale prices for any succeeding year must be based on a new finding of cost by the

ties, the value of the MPDU at the end of the control period, and any other relevant information. The City Manager shall consult with the rental industry, employees and professional and citizens groups to obtain statistical information and current general market and economic conditions which may assist in setting a current maximum rent. The City Manager shall consider the extent to which, consistent with City codes and housing standards, the cost of rental housing can be reduced by the elimination of amenities. The City Manager shall also consider from time to time changes in the income levels of persons of low and moderate income and their ability to rent housing.  
(Ord. No. 29-90, 9-10-90)

**Sec. 13.5-8. Sale or rental of moderately priced dwelling units.**

*(a) Sale or rental to general public.*

(1) Every moderately priced dwelling unit required under this chapter must be offered to the general public for sale or rental to a good faith purchaser or renter to be used for his or her own residence, except units offered for sale or rent with the assistance of, and subject to the conditions of, a subsidy under a Federal, State or local government program, identified in regulations adopted by the Mayor and Council whose purpose is to provide housing for persons of low or moderate income.

(2) Before offering any moderately priced dwelling units, the applicant shall notify the Department of the proposed offering and the date on which the applicant will be ready to begin the marketing to eligible persons. The notice shall set forth the number of units offered, the bedroom mix, the floor area for each unit type, a description of the amenities offered in each unit and a statement of the availability of each unit for sale or rent, including information regarding any mortgage financing available to buyers of the designated unit. The applicant shall also give the Department a vicinity map of the offering, a copy of the approved development, subdivision or site plan, as appropriate, and such other information or documents as the Director finds necessary. The department shall maintain a list of eligible persons of mod-



c. Applicants shall make a good faith effort to enter into contracts with eligible persons during the priority marketing period and for an additional period necessary to negotiate with eligible persons who indicate a desire to buy or rent an MPDU during that period.

(6) Every buyer or renter of an MPDU shall certify on a certificate prescribed by the City Manager that he or she is buying or renting the unit for his or her own use, or as the primary residence for his or her family. Buyers of MPDU's except a housing agency, must not lease MPDU's to other parties unless the City Manager finds sufficient cause to allow temporary rentals of such units under regulations, which may include maximum rental levels, adopted by the Mayor and Council. An applicant must not sell or lease any unit without first obtaining such a certificate from the buyer or lessee. Copies of certificates to applicants from buyer or lessees must be furnished to the Department and must be maintained on file with the Department. Before the sale by an applicant or by the housing agency to any buyer of any MPDU who does not possess a certificate of eligibility, the applicant or the housing agency shall request a determination by the Department from the certificates on file whether the proposed buyer had previously bought another MPDU. Previous buyers must not buy a second MPDU unless no other first-time purchasers are qualified to buy that unit. The City Manager may waive this restriction for good cause.

(b) *The designated housing agency or corporation.*

(1) In view of the critical long-term public need for housing for families of low and moderate income, the housing development agency or nonprofit corporation designated by the Mayor and Council has the option to buy or lease, for its own programs or programs administered by it, up to forty (40) percent of all MPDU's which are not sold or rented under any other Federal, State, or local program. The housing agency may buy or lease up to thirty-three and one-third (33 $\frac{1}{3}$ ) percent of the MPDU's not sold or rented under any other federal, state or local program.

This option may be assigned to persons of low or moderate income who are eligible for assistance under any Federal, State or local program identified in regulations adopted by

(2) The fair market value of improvements made to the unit between the date of original sale and the date of resale;

(3) An allowance for closing costs which were not paid by the initial seller, but which will be paid by the initial buyer for the benefit for the later buyer; and

(4) A reasonable sales commission if the unit is not sold within sixty (60) days to an eligible person from the department's eligibility list.

(b) *Subsequent sale requirements.* Any moderately priced dwelling unit offered for resale during the first ten (10) years after the original sale must be first offered exclusively for sixty (60) days through the Department to persons found by the Department to be of eligible income and to the housing agency. After the sixty (60) day priority period expires, that unit may be offered for sale to the general public.

(c) *Sale after control period ends.*

(1) If an MPDU is sold or resold after ten (10) years after its original sale or rental, the restrictions on resale in subsections (a) and (b) no longer apply. However, for the first sale of an MPDU after ten (10) years after the original sale or rental, the seller shall pay to the Moderately Priced Housing Fund one-half ( $\frac{1}{2}$ ) of the excess of the total resale price over the sum of the following:

a. The original selling price;

b. A percentage of the unit's original selling price equal to the increase in the cost of living as determined by the consumer price index;

c. The fair market value of capital improvements made to the unit between the date of original sale and the date of resale; and

d. A reasonable sales commission.

The City Manager shall adjust the amount paid into the Fund in each case so that the seller retains at least ten thousand dollars (\$10,000.00) of the excess of the resale price over the sum of the items in a. through d.

sale of an MPDU occurs during the first ten (10) years after the original sale or rental, any price paid at the foreclosure sale that exceeds the price established under subsection (a) plus any reasonable costs and fees of foreclosure shall be paid into the Moderately Priced Housing Fund. If an MPDU is foreclosed after ten (10) years after the original sale or rental, subsection (c) applies. If the unit sold by foreclosure was a rental unit, the Department shall calculate the sale price that would have been permitted at the time of original rental as if the unit had been originally offered for sale.

(f) *Waivers.* The City Manager may waive the restriction on the resale and re-rental prices for MPDU's if the City Manager finds that the restrictions conflict with regulations of Federal or State housing programs and thus prevent eligible persons from buying or renting units under the MPDU program.

(g) *Bulk transfers.* This section does not prohibit the bulk transfer or sale of all or some of the rental MPDU's in a subdivision within twenty (20) years after the original rental if the buyer is bound by all covenants and controls on the MPDU's.

(h) *Compliance.* The City Manager shall adopt regulations to promote compliance with this section and prevent practices that evade controls on rents and sales of MPDU's.  
(Ord. No. 29-90, 9-10-90)

#### **Sec. 13.5-10. Waiver of fees.**

(a) *Qualifications.* If a person, firm, partnership, association, joint venture, corporation, or other entity or combination of entities, or transferee of all or part of the land at one (1) location:

(1) Submits for approval or extension of approval a preliminary plan of subdivision under Chapter 25 which plan provides for the development of a total of less than fifty (50) dwelling units at one (1) location in one (1) or more subdivision, parts of subdivisions, resubdivisions, or stages of development, regardless of whether any part of the land has been transferred to another party or;

(2) Submits to the City a plan of housing development for any type of use permit review or development approval required

(b) This chapter applies to all agents, successors and assigns of an applicant. A building permit shall not be issued, and a preliminary plan of subdivision, development plan, or use permit shall not be approved unless it meets the requirements of this chapter. The City Manager may deny, suspend or revoke any building or occupancy permit upon finding a violation of this chapter. Any prior approval of a preliminary plan of a subdivision, development plan or use permit may be suspended or revoked upon the failure to meet any requirement of this chapter. An occupancy permit shall not be issued for any building to an application, or a successor or assign of any applicant, for any construction which does not comply with this chapter.

(c) Any violation of this chapter or regulations adopted under it is a misdemeanor.

(Ord. No. 29-90, 9-10-90)

#### **Sec. 13.5-12. Appeals.**

(a) Any person aggrieved by any quasi-judicial decision of the City Manager pursuant to this chapter may appeal to the Board of Appeals as provided by Article 66B of the Annotated Code of Maryland.

(b) Any person aggrieved by any decision of the Board of Appeals or the Mayor and Council pursuant to this chapter may appeal the same to the Circuit Court for Montgomery County. Such appeal shall be taken according to the Maryland Rules as set forth in Chapter 1100, Subtitle B.

(Ord. No. 29-90, 9-10-90)

#### **Sec. 13.5-13. Applicability.**

This chapter applies to all applicants and units developed by applicants, except when:

(1) A building permit has been issued prior to the effective date of this chapter; or

(2) A special exception for housing for elderly or handicapped persons has been approved by the Board of Appeals; or

## Affordable Housing Communities And Programs In The City of Rockville

### Moderately Priced Dwelling Unit Rentals

JPI King Farm	17 units
Pritzker Residential	50 units
JPI Falls Grove	115 units
JPI Congressional S	52 units
Crest	22 units
Westchester	34 units
JPI @ Congressional	53 units

311 MPDU units were sold

Rockville Housing Enterprises Scattered Site  
26 single family public housing units

Rockville Housing Enterprises MPDU  
56 MPDU units rented to eligible households

Beall's Grant  
Montgomery Housing partnership  
254 N. Washington St.  
74 Units

Bethany House (Elderly)\  
Christian Facility For the Aging  
199 Rollins Ave  
256 units  
Section 202

David Scull Court  
Rockville Housing Enterprises  
76 units – conventional public housing

Fallswood Commons  
KSI  
600 Mount Vernon  
190 Units (< 60% of median income)

Heritage Park Co-op  
95 Dawson Ave  
69 Section 8 Co-ops

Heritage House (elderly)  
95 Dawson Avenue  
100 Section 8 project based

Rockville Housing Enterprises  
Section 8 Housing Choice Vouchers  
409 Section 8 vouchers

Ring House (elderly/disabled/assisted living)  
1801 East Jefferson Street  
some subsidized units

Rocklin Park Apts (Lenmore)  
702 Lenmore Avenue  
59 units  
Section 8 Substantial Rehabilitation

Town Center Apartments (elderly)  
112 units  
Section 236

Approved For Future  
Lincoln Terrace 18 Section 8 Home Ownership  
Town Square (94 MPDU)  
Bank Of America Property-KSI (15% MPDU)  
Archstone at First St 12.5 % MPDU  
Rollins Ridge 15 MPDU



City of Rockville

## MEMORANDUM

November 8, 2004

TO: Catherine Tuck Parrish, Acting City Manager

FROM: Edward J. Duffy, Community Development Program Manager

VIA: Arthur D. Chambers, Director of CPDS

SUBJECT: Moderately Priced Dwelling Unit Income Eligibility Requirements and Rents

The Moderately Priced Housing Regulations of the City of Rockville stipulate that the MPDU Income Eligibility Requirements and Rental Limits for MPDUs shall be calculated each year for approval by the City Manager. Prior to implementing the amount of adjustment, the City Manager shall inform the Mayor and Council of the adjustment. The Mayor and Council may, if desired, establish a different rent than provided for in the MPDU Ordinance.

The Rockville MPDU Ordinance is based upon 60% of the median income for the Washington D.C. Statistical Area. The most recent figures issued by HUD indicate that the median income for a household of five persons has dropped from \$91,500 to \$84,800.

The Consumer Price Index for all items has increased by 1% during the past twelve months. Since that amount is insignificant (\$522/year for a four person household) it wouldn't be a good basis for an increase in program eligibility

Current Rockville MPDU Income Eligibility Limits for the MPDU Program are:

1 person family	\$36,500
2 person family	\$41,800
3 person family	\$47,000
4 person family	\$52,200
5 person family	\$56,400

Current Rockville MPDU rents are:

1-bedroom	\$871
2-bedrooms	\$979
3-bedrooms	\$1,143

Those amounts are computed by multiplying a family factor by 60% of median income (.70 for 1 person, .80 for 2 people, etc) and then by .25 or the percent of income for housing. Since the median income has decreased, the MPDU rents could also be decreased. The primary beneficiaries of such a decrease, as small as it might be would be the existing tenants who qualified at the current income level.

Montgomery County MPDU staff has recommended that a two-tiered income system be adopted as an Executive Regulation, one for rental, another for purchase. The recommended amounts are based loosely upon the starting salary for a teacher in the Montgomery County Public School System.

The recommended amounts are:

Household Size	Purchase	Rental
1 person	\$44,000	\$40,000
2 persons	\$50,000	\$46,000
3 persons	\$56,000	\$50,000
4 persons	\$62,000	\$56,000
5 persons +	\$68,000	\$62,000

It is not felt that the starting salary of one profession should control the eligibility requirements for a housing program in Rockville. They would also effect the calculation of MPDU rents because they exceed the 60% of median income base used to in the Rockville Ordinance and would result in

It is recommended that the MPDU income eligibility requirements and rents not be increased for the next twelve months and that the effectiveness of the County income levels be monitored for consideration next year.



## PROPOSED AMENDMENTS TO COUNTY MPDU ORDINANCE

**County Council's proposed changes:****Zoning text amendments:**

04-11: Allows a larger building footprint on a site to allow for MPDUs in all multiple-family residential zones.

04-12: Encourages workforce housing in high-density zones close to transit. It also gives the Planning Board the authority to reduce public use spaces or move them off site.

04-13: Allows height restrictions in a master plan or sector plan to be exceeded up to the maximum allowed in zoning regulations.

04-14: Allows the Planning Board, in certain cases, to increase density on a site if the added homes are MPDUs.

**Subdivision Regulations:**

Amendment 01: Relaxes some rights of way if that results in more MPDUs in a development.

**Bills:**

24-04: Increases the sale and rent control periods for MPDUs from 10 and 20 years to 30 years; requires annual up-

date to eligibility standards since when developers can build off-site MPDUs or can offer buyouts, requires MPDU in single-family developments to have the same number of bedrooms as market-rate units.

25-05: Increases the sale and rent control periods for MPDUs from 10 and 20 years to 30 years; requires annual updates to eligibility standards; lowers the minimum size of subdivisions where MPDUs must be built; allows a smaller percentage of MPDUs in certain high-rise projects when developers can build off-site MPDU or can offer buyouts; requires MPDUs in single-family developments to have the same number of bedrooms as market-rate units; authorizes an MPDU preservation fund.

27-03: Revises the requirements for building MPDUs and repeat buyout offers; extends 10- and 20-year price and rent control periods to 20 and 30 years.

Source: Montgomery County Council

# LOW AND MODERATE INCOME HOUSING GUIDE

*Prepared by the Fairfax County  
Department of Housing and Community Development*



## How to Use This Guide

This publication will help you identify many area properties affordable to low and moderate income households, including both privately-owned and publicly-owned government assisted apartments and townhouse communities located in the Northern Virginia area. Many of the complexes offer rent based on household income to families and single persons who meet income and other guidelines. A family is defined as two or more persons related by blood, marriage, or operation of law.

**NOTE:** If you rent a unit in a complex that rents only a portion of its units based on family income and find that such a unit is not available when you move in, ask the property manager to place your name on the waiting list for one of these units.

For information on application procedures and vacancies,  
contact each complex directly.

MARCH 2004

Fairfax County is committed to nondiscrimination on the basis of disability in all County programs, services and activities. Special accommodations will be provided upon request. For information, please call 703-246-5101 or TTY 703-385-3578.



## FAIRFAX COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)

3700 Pender Drive, Suite #100

Fairfax, Virginia 22030-7442

703-385-3662 TTY 703-385-3578

Waiting List Information Line: 703-449-9050

### Housing Assistance Programs in Fairfax County

The Fairfax County Department of Housing and Community Development (HCD) administers several programs that provide rental housing assistance for low and moderate income families and individuals in Fairfax County, on behalf of the Fairfax County Redevelopment and Housing Authority.

The Housing Choice Voucher, Project-Based Voucher, and Public Housing programs are designed to provide affordable rental housing for low and moderate income families. Single persons may also apply; however, priority is given to single persons who are elderly, disabled, or handicapped. The Housing Choice Voucher Program uses the private housing market; families seek and select their own units within program guidelines through participating landlords. In this program, eligible residents pay approximately 30-40% of their income for rent. In Public Housing, residents have a choice of paying 30% of their income, or an affordable fixed rent based on the development where they will live.

Vacancies for all programs are filled from a file of applicants maintained by the FCRHA. **There are waiting lists for all programs.** Call the Housing Waiting List Information Line at 703-449-9050 for current information. Placement of applicants on the waiting list is determined by use of the Priority System below.

### SUMMARY OF FAIRFAX COUNTY PUBLIC HOUSING AND HOUSING CHOICE VOUCHER PROGRAMS WAITING LIST SYSTEM *(effective March 2004)*

#### PRIORITY GROUPS

The following priority groups apply to the Public Housing and/or Housing Choice Voucher programs. When your application reaches the top of the waiting list, you will be required to submit proof that your household qualifies for the priority group you have claimed.

#### GROUP ONE

Priority in this group is awarded to applicants whose head or spouse is employed, attending school, or participating in a job training program, a combination of at least 30 hours per week; or is 62 or older, or is a sole primary caretaker of a disabled dependent, or meets HUD's definition of being disabled, and whose households pay more than 30% of gross income for rent and utilities for the past 90 days (excluding telephone and cable costs).

AND who live or work in Fairfax County, City of Fairfax, City of Falls Church, or Town of Herndon AND meet the income requirements.

#### GROUP TWO

Live or work in Fairfax County, City of Fairfax, City of Falls Church, or Town of Herndon and meets the income requirements. This group will not be invited for eligibility until all of the applicants in Priority Group One have been contacted for an interview.

#### GROUP THREE

Does not live or work in Fairfax County, City of Fairfax, City of Falls Church, or Town of Herndon or meets the income requirements. This group will not be invited for eligibility until all of the applicants in Priority Group One and GROUP Two have been contacted for an interview.

#### HOUSING CHOICE VOUCHER/PUBLIC HOUSING SPECIAL PRIORITY ADMISSIONS POOL

Additionally, up to 55% of annual admissions will come from a Special Priority Admissions pool that includes applicants on the waiting list with high priority who are referred by human service providers and enrolled in certain human services programs including transitional housing and special needs homeless assistance programs. The number of referrals are capped or limited on an annual basis.

Also, in this Pool, there is a preference option for households who have a disabled household member and whose present housing conditions severely threaten the health and well-being of that disabled household member. THIS CONDITION MUST BE CERTIFIED BY A PHYSICIAN.

#### RESTRICTION ON ASSISTANCE TO NONCITIZENS

Under Federal regulations effective June 19, 1995, housing assistance can only be offered to United States citizens, nationals and certain other categories of eligible noncitizen.

Therefore, a signed declaration of U.S. citizenship, or proof of eligible immigration status, must be provided for each household member when the family's application reaches the top of the waiting list and eligibility for the program is determined.

If one or more of the family members elect not to provide proof of eligible immigration status (and other members of the family establish their citizenship or eligible immigration status), the family may be considered for prorated (or reduced) assistance despite the fact that no declaration or documentation of eligible status is submitted by one or more members of the family.

The family, however, must identify the family member or members who elect not to provide proof of eligible immigration status. Additional information on the verification process, submission of required evidence, prorated assistance, and applicant hearing rights will be provided to applicants at the time when their eligibility for housing assistance is being determined.

## PUBLIC HOUSING

The Atrium (37 units) Alexandria	Colchester Towne (8 scattered units) Alexandria	Monroe Chase (3 scattered units) Oak Hill/Hemdon	Robinson Square (46 units) Fairfax	Villages at Falls Church (36 scattered units) Falls Church	West Ford III (39 units) Alexandria
Audubon Apts. (46 units) Alexandria	Coppermill (4 scattered units) Herndon	Newington Station (36 scattered units) Springfield	Rosedale Manor (96 units) Falls Church	Virginia Station (6 scattered units) Vienna	West Glade (26 scattered units) Reston
Barkley/Armistead (3 scattered units) Fairfax	Greenwood Apts. (138 units) Falls Church	Old Mill Gardens (47 units) Alexandria	Shadowood (16 scattered units) Reston	Walney Oaks (6 scattered units) Chantilly	Woodland Glen (5 scattered units) Fairfax
Barros Circle (44 units) Centreville	Greenwood II (4 scattered units) Franconia	The Park (24 units) Springfield	Sheffield Square (8 scattered units) Lorton	Water's Edge (9 scattered units) Fairfax	
Belle View (40 scattered units) Alexandria	Heritage Woods (44 scattered units) Annandale	Ragan Oaks (51 units) Fairfax	Springfield Green (5 scattered units) Springfield	West Ford I (24 units) Alexandria	
Briarcliff II (20 units) Vienna	Kingsley Park (108 units) Falls Church	Reston Town Center (30 units) Reston	Tavener Lane (12 scattered units) Alexandria	West Ford II (22 units) Alexandria	

## FAIRFAX COUNTY RENTAL PROGRAM

*Offering Housing Opportunities for Low and Moderate Income Households*

The Fairfax County Rental Program provides affordable housing for persons who lack the amount of income that is necessary to enable them, without financial assistance, to live in decent, safe and sanitary dwellings.

The Housing Authority owns a number of attractive units in each of the following developments. For further information, call 703-385-3662, or the phone number indicated.

◆Castellani Meadows Centreville	Faircrest Fairfax	Penderbrook Apts. Fairfax
Cedar Ridge+ Reston 703-471-1929	Hopkins Glen+ Falls Church 703-207-9770	Springfield Green Springfield
Cedar Lakes Fairfax	Island Creek Alexandria	Stonegate Village+ Reston 703-620-0203
Chatham Town Fairfax	Little River Square Annandale	Tavener Lane Apts.+ Alexandria
◆Coan Pond Residences (Working Singles Efficiency Apts.) Fairfax 703-246-5079	McLean Hills McLean	◆West Glade+ Reston 703-246-5223
Colchester Towne Alexandria	Murraygate Village+ Alexandria 703-780-9574	Westbriar LOCATION

+ Note: Cedar Ridge, Hopkins Glen, Murraygate Village, Stonegate Village and Tavener Lane Apartments are federally subsidized complexes offering reduced rents and different eligibility requirements. Tavener Lane, Castellani Meadows and West Glade are tax-credit financed and have special income requirements. For residences without telephone numbers listed, call 703-385-3662 or TTY users call 703-385-3578.

◆ These properties maintain their own applications for prospective residents to complete.

# FAIRFAX COUNTY SENIOR RESIDENCES

## **GUM SPRINGS GLEN**

Alexandria/Gum Springs Area 703-780-9072  
(Opening Spring 2002)

## **HERNDON HARBOR HOUSE**

Herndon 703-904-9444

## **LEWINSVILLE**

McLean 703-442-9621

## **LINCOLNIA**

Alexandria 703-914-0330

## **LITTLE RIVER GLEN**

Fairfax 703-503-8700

## **MORRIS GLEN**

Alexandria  
(Franconia/Springfield area)  
703-719-7268

NOTE: Residents at Lewinsville and Lincolnia pay a minimum contribution or 30% of income, whichever is greater. Rent at Little River Glen is the base rent or 30% of income, whichever is greater. Morris Glen, Herndon Harbor House and Gum Springs Glen are tax-credit financed and have special income requirements and set rents. Call each property for more information on rents, and minimum and maximum income guidelines.

## == PRIVATELY-OWNED RESIDENCES FOR SENIORS AND PERSONS WITH DISABILITIES ==

*(Includes Federally Assisted, Tax Credit Financed and Affordable Dwelling Units)*

\*Burke Lake Gardens  
9608 Old Keene Mill Rd.  
**Burke**  
703-644-0061

\*Evergreen House  
6925 Columbia Pike  
**Annandale**  
703-941-8707

\*\*Lake Anne  
Fellowship House  
11450 N. Shore Drive  
**Reston**  
703-471-6474

Paul Spring  
7116 Fort Hunt Rd.  
**Alexandria**  
703-768-0234

\*Claridge House  
1500 S. Fern Street  
**Arlington**  
703-521-9100

Forest Glen at Sully Station  
14401 Woodmere Court  
**Centreville**  
703-802-9501

\*The Lewinsville  
1515 Great Falls Street  
**McLean**  
703-442-8660

\*\*\*Sunrise At Hunter Mill  
2863 Hunter Mill Road  
**Oakton**  
703-255-1006

\*Claridge House  
301 N. Ripley Street  
**Alexandria**  
703-823-5444

\*\*\*Greenspring Village  
Retirement Community  
7430 Spring Village Drive  
**Springfield**  
703-913-1200

\*Lockwood Homes  
600 N. Madison Street  
**Arlington**  
703-538-6000

\*\*Tysons Towers  
8500 Tysons Spring Street  
**Vienna**  
703-281-2080

\*\*Culpepper Gardens  
4435 N. Pershing Drive  
**Arlington**  
703-528-0162

\*Hunters Woods  
Fellowship House  
2231 Colts Neck Road  
**Reston**  
703-620-4450

\*Marywood Apartments  
10700 Crestwood Drive  
**Manassas**  
703-631-1518

\*Winter Hills Apartments  
172B W. Annandale Rd.  
**Falls Church**  
703-237-0341

\*Elmwood Homes  
550 N. Madison Street  
**Arlington**  
703-538-6000

\*\*\*Kendrick Court  
McNair Farm  
13430 Coppermine Road  
**Herndon**  
703-793-9300

\*Mt. Vernon House  
8199 Tiswell Drive  
**Alexandria**  
703-780-1300

\*Woodland Hills  
610 S. Carlin Springs Rd.  
**Arlington**  
703-931-5700

Complexes without \* or \*\* have minimum income guidelines

\* Monthly rent is based on family income for ALL units

\*\* Monthly rent is based on family income for only a PORTION of the units

\*\*\* ADU Community. Rents are unsubsidized, but some units are offered at below market rates.

*See also page 6 Privately-Owned Apartment Complexes*

## PRIVATELY-OWNED AFFORDABLE DWELLING UNIT (ADU) RENTALS

In some new *privately-owned* apartment communities (not affiliated with the Housing Authority), there are apartments offered at reduced rents through the ADU program. Special features vary with each community but may include security systems, washer/dryers, pool and fitness center. *This is not subsidized housing.* Minimum and maximum income limits apply. Apply at the property management office at each property. Also see page 4, Housing for Elderly and Disabled.

Archstone Woodland Park  
2399 Glen Echo Road  
Herndon 703-707-8511

The Jefferson at Van Dorn  
5901 Coverdale Way  
Alexandria 703-924-1000

Reserve at Fairfax Corner  
11727 Fairfax Woods Way  
Fairfax 703-352-4741

Avalon at Fair Lakes  
4511 Fair Knoll Drive  
Fairfax 703-802-8221

Jefferson Park  
3021 Nicosh Circle  
Falls Church 703-698-9888

Sanger Place  
9454 Orange Blossom Trail  
Lorton 703-495-8484

Avalon Fox Mill  
13001 Cabin Creek Road  
Herndon 703-435-8600

Kenton Crossing  
7800 Lewis Chapel Circle  
Lorton 703-339-4050

Springfield Station  
6802 Junction Blvd.  
Springfield 703-313-4450

Avalon Crescent  
1569 Onyx Drive  
McLean 703-821-9191

Lincoln at Fair Oaks  
12167 Lincoln Lake Way  
Fairfax 703-449-8900

Trevor's Run  
2411 Little Current Drive  
Herndon 703-561-8000

Apartments at Regents Park  
9333 Clocktower Place  
Fairfax 703-352-0300

Merrifield Commons  
2929 Stillwood Circle  
Falls Church 703-204-0414

Westerly at Worldgate  
13000 Wilkes Way  
Herndon 703-435-4500

Chantilly Crossing  
13943 Rockland Village Drive  
Chantilly 703-263-7630

Oakwood Dulles  
13800 Jefferson Park Drive  
Herndon 703-561-1200

Windsor at Lionsgate  
13690 Legacy Circle  
Herndon 703-561-0300

Dulles Center Apartments  
2410 Little Current Drive  
Herndon 703-713-6060

The Preserve at Government Center  
4457 Oakdale Crescent Court  
Fairfax 703-502-4711

Woodland Park Apartments  
13025 Elm Tree Drive  
Herndon 703-435-1900

The Jefferson at Fair Oaks  
4201 Jefferson Oak Circle  
Fairfax 703-277-7000

Reston Landing  
12000 Cameron Pond Dr.  
Reston 703-437-7710

## PRIVATELY-OWNED FEDERALLY ASSISTED RENTAL HOUSING

Contact Each Complex Directly for Information. Call for Rental Office Hours.

\*\*The Ashby  
1350 Beverly Road  
McLean 703-442-4881

\*Edsall Station  
6272 Edsall Road  
Alexandria 703-370-8280

\*Oak Creek  
9923A Oak Creek Place  
Oakton 703-255-2993

\*\*Suburbia Fairfax  
10730 West Drive  
Fairfax 703-273-6609

\*\*Buckman Road Apts.  
3426 Buckman Road  
Alexandria 703-360-5200

\*Greene Hills Estates  
7600 Creedmor Drive  
Springfield 703-569-7240

\*Oakview Gardens  
5836 Oakview Garden Dr  
Falls Church 703-820-9500

\*Summit Oaks  
10550 Oak Bluff Court  
Burke 703-323-1116

\*Chantilly Mews  
4151 Chantilly Lane Ct.  
Chantilly 703-378-4810

\*Hunting Creek ☆  
Jackies Lane  
Alexandria 703-360-5200

\*Spring Gardens  
7959 Richmond Hwy  
Alexandria 703-780-6700

\*Tysons Landing  
1840A Tysons Landing  
McLean 703-827-0552

\*Crevenna Oaks ☆☆☆  
Oak Green Drive  
Burke 703-323-1116

\*\*Janna Lee Village  
7986 Janna Lee Avenue  
Alexandria 703-780-9001

\*Strawbridge Square  
5128 Lincoln Avenue  
Alexandria 703-354-1155

\*Westminster Oaks ☆☆☆  
Hooes Road  
Springfield 703-323-7438

☆ Apply at Buckman Road Apartments ☆☆ Apply at Suburbia Fairfax ☆☆☆ Apply at Summit Oaks

\* Monthly rent is based on family income for ALL units

\*\* Monthly rent is based on family income for only a PORTION of the units

\*\*\* ADU Community. Rents are unsubsidized, but some units are offered at below market rates.

## PRIVATELY OWNED APARTMENT COMPLEXES

Listed below are privately owned apartment complexes located in Fairfax County that rent some or all of the units at a more moderate cost than many others in the County. **Because many of these complexes do not receive any federal, state or local subsidies, they are not obligated to accept Housing Choice Vouchers.** Apartments that have units that are accessible or have disability features are marked with ; For more information about rental complexes with accessible units, contact the Disability Planning and Development Office at 703-324-5219.

*Contact Each Complex Directly for Vacancy Information and Application Procedure*

Beacon Hill Apartments  
3100 Southgate Drive  
**Alexandria**  
703-768-4800

Belle Haven Towers  
6034 Richmond Highway  
**Alexandria**  
703-329-0400

Belvoir Plaza Apts.  
8743 Richmond Highway  
**Alexandria**  
703-780-6984

Bent Tree;  
13630 Bent Tree  
**Centreville**  
703-266-7812

Briarcliff Townhouses  
Briarcliff Court  
**Vienna**  
703-823-3380

Burke Shire Commons;  
5812 Chase Commons Ct.  
**Burke**  
703-425-2777

Canterbury Square;  
9186 Richmond Highway  
**Fort Belvoir**  
703-780-1000

Carydale Village  
8073 Buckman Court  
**Alexandria**  
703-780-6244

Cherry Arms Apts.  
7131 Richmond Highway  
**Alexandria**  
703-765-9241

Edsall Gardens  
6416 Edsall Road #201  
**Alexandria**  
703-354-5876

Elden Terrace Apartments  
661 Dulles Park Court  
**Herndon**  
703-437-8141

Fairfax Circle Villa  
9555 Blake Lane  
**Fairfax**  
703-591-8574

Fairmont Gardens  
4137 Wadsworth Court  
**Annandale**  
703-578-7880

Grandview Apartments  
3419 Carlin Springs Road  
**Falls Church**  
703-820-5390

Groveton Gardens  
7136 Groveton Gardens Rd.  
**Alexandria**  
703-768-8666

Hillwood Manor  
6079A Belleview Drive  
**Falls Church**  
703-820-6600

King's Gardens  
6300 S. Kings Highway  
**Alexandria**  
703-765-6733

Kingsley Commons  
7308 Arlington Boulevard  
**Falls Church**  
703-573-3600

Knolls of Newgate;  
14217 St. Germaine  
**Centreville**  
703-631-1747

Margate Manor Apartments  
3954 Persimmon Drive  
**Fairfax**  
703-323-0319

Meadow Woods  
3308 Lockheed Boulevard  
**Alexandria**  
703-768-7600

Monticello Gardens;  
3212 Allen Street  
**Falls Church**  
703-573-1020

Mt. Vernon Apartments  
8263 Russell Road, #201  
**Alexandria**  
703-780-0480

Park Avenue Apartments  
901 Park Avenue  
**Herndon**  
703-437-3666

The Parliaments  
7409 Eastmoreland Road  
**Annandale**  
703-354-5355

S&S Properties  
2830-2898 Pine Spring Rd.  
**Falls Church**  
703-560-1403

Shenandoah Crossing;  
13300 Blueberry Lane  
**Fairfax**  
703-631-0190

Skyview Apartments  
8424 Skyview Drive  
**Alexandria**  
703-780-6310

Springfield Gardens  
6116 Cumberland Ave.  
**Springfield**  
703-451-2561

Sunset Park Apartments  
5734 Seminary Road, #4  
**Falls Church**  
703-820-5744

Vienna Park Apartments  
212 Cedar Lane  
**Vienna**  
703-560-8250

Vista Garden Apartments  
6008 Vista Drive #104  
**Falls Church**  
703-820-5111

Washington Square Apts.  
8547 Richmond Highway  
**Alexandria**  
703-780-5353

Waterside Apartments  
12032 Waterside View Dr. #21  
**Reston**  
703-478-0640

Wedgewood Manor Apts.  
7525 Little River Turnpike  
**Annandale**  
703-256-0633

Wedgewood West Apts.  
4347 Carmelo Drive  
**Annandale**  
703-256-0400

Wexford Manor  
2802A Hollywood Road  
**Falls Church**  
703-573-8430

Woodlawn Gardens  
8488 Richmond Highway  
**Alexandria**  
703-780-3100

## PRIVATELY-OWNED FEDERALLY ASSISTED COOPERATIVE HOUSING

Under cooperative homeownership, families work together to own and control their living environment. With a down payment of generally \$1,000 (Reflection Lake is higher), each family purchases a membership share in the cooperative corporation.

**\*\* Burke Centre Station**  
10315 Luria Commons Court  
**Burke**  
703-978-3715

Reflection Lake  
13200 Springer Drive  
**Herndon**  
703-471-1254

**\*Island Walk**  
1701 Torrey Pines  
**Reston**  
703-471-4422

**\*Yorkville**  
3146 Draper Drive  
**Fairfax**  
703-273-7777

*\* Monthly rent is based on family income for ALL units*

*\*\* Monthly rent is based on family income for only a PORTION of the units*

## == PRIVATELY OWNED LOW-INCOME HOUSING TAX CREDIT PROPERTIES ==

The following properties have received Low-Income Housing Tax Credits. Federal laws prohibit owners of Low-Income Housing Tax Credit and HOME developments from refusing to lease a rental unit to a family solely because of the family's participation in the Section 8 tenant-based program. Therefore, these properties would be a possible source of housing for Housing Choice Voucher participants.

*Contact Each Complex Directly for Vacancy Information and Application Procedure*

Cambridge Commons  
2913-A Peyton Randolph Rd  
**Falls Church**  
703-533-1611

Kendrick Court at McNair Farms  
(Elderly)  
13430 Coppermine Road  
**Herndon**  
703-793-9300

North Point, The Apts. At  
1520 North Point Dr., #101  
**Reston**  
703-481-1230

Chantilly Crossing  
13943 Rockland Village Dr.  
**Chantilly**  
703-263-7630

Kenton Crossing at Lorton Station  
7800 Lewis Chapel Circle  
**Lorton**  
703-339-4050

Parkwood Apartments  
6034 Vista Drive  
**Falls Church**  
703-820-5332

Dulles Center Apt. Homes  
2410 Little Current Drive  
**Herndon**  
703-713-6060

Lee Overlook  
6406 Paddington Ct., #104  
**Centreville**  
703-222-3733

Sanger Place  
9454 Orange Blossom Trail  
**Lorton**  
703-495-8484

Forest Glen at Sully Station (Elderly)  
14400 Woodmere Ct.  
**Centreville**  
703-802-9501

Manchester Lakes Senior Apts.  
7131 Silver Lake Blvd.  
**Alexandria**  
703-921-5500

Springfield Crossing  
6704 Metropolitan Center Dr.  
**Springfield**  
703-822-0111

Grand View Apts.  
3419 Carlin Springs Rd  
**Falls Church**  
703-820-5390

Merrifield Commons  
2929 Stillwood Circle  
**Falls Church**  
703-204-0414

Stratford Crossing  
2450 Masons Ferry Dr.  
**Herndon**  
703-713-0010



## HELPFUL HINTS FOR PEOPLE WITH DISABILITIES

The Fairfax Area Disability Services Board provides an informational brochure entitled What Do You Require When Looking for Accessible Housing that provides helpful information for those with disabilities who are looking for housing. The Fairfax Area Disability Services Board can be contacted at 703-324-5219. There are three federal laws that relate to the protection of people with disabilities from discriminatory housing practices. They are:

### The Fair Housing Act

The Fair Housing Act prohibits discrimination based on disability by:

1. Prohibiting discriminatory housing practices
2. Requiring reasonable accommodations to be made and
3. Requiring certain construction standards for covered multifamily dwellings built for the first time occupancy after March 1991.

### Section 504 of the Rehabilitation Act of 1973

Any public housing or public assisted housing provider that receives federal dollars is covered under the Rehabilitation Act of 1973.

### The Americans with Disabilities Act of 1990

Title II: Title II of the ADA extends protection to all "public entities" state and local governments regardless of whether they receive federal funding.

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## RELATED HOUSING SERVICES

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**Fairfax County**  
**Department of Tax Administration**  
703-222-8234 • TTY 703-222-7594  
[Tax Relief Office]

Fairfax County citizens who are 65 years of age or older or are permanently and totally disabled, and who own and occupy their residences in Fairfax County may qualify for the real estate tax relief program. Fairfax County also provides onetime grants to senior citizens and disabled citizens who are renters. Applicants for either program may receive assistance annually, but must reapply each year. Citizens living in subsidized housing or receiving public assistance are not eligible for these programs.

**Fairfax County**  
**Tenant-Landlord Commission**  
703-222-8435 • TTY 703-222-8653

The Commission, staffed by the Fairfax County Department of Telecommunications and Consumer Services, investigates written complaints regarding problems of tenants and landlords, and provides mediation and arbitration services.

### **Housing Counseling Services**

Housing counseling services assist families in obtaining housing satisfactory in cost, environment, and condition. They also sponsor workshops on how to obtain housing, offer budget counseling and home-sharing counseling, and assist individuals and families in locating permanent housing.

**Northern Virginia Family Service**  
703-689-0208 (serves north county)  
703-533-9727 (Voice & TTY-serves central county)

**Housing and Community Services  
of Northern Virginia**  
703-913-0880 (serves south county)

### ***Need Emergency Housing?***

Call 703-222-0880 EN ESPAÑOL: 703-631-3366

TTY users call: 703 -803-7914

Coordinated Services Planning

Department of Systems Management for Human Services

Looking for Human Services Information?

Visit the Human Services Resource Guide at [www.fairfaxcounty.gov/RIM](http://www.fairfaxcounty.gov/RIM)

## KEY PROVISIONS OF THE FAIRFAX COUNTY AFFORDABLE DWELLING UNIT (ADU) ORDINANCE

(Effective July 1, 2002)

**Purpose and Intent (2-801):** To assist in the provision of affordable housing for persons of low and moderate income whose income is seventy percent or less of the median income for the Washington Standard Metropolitan Statistical Area. Where the affordable dwelling units differ in design and unit type from the other units in a development the affordable units should be integrated within the development to the extent feasible and where the unit type is the same the affordable units should be dispersed throughout the development.

**Applicability (2-802):** Applies to all developments which are subject to rezoning, special exception, site plan or subdivision plat approval where:

- The site is to be developed at a density greater than one (1) dwelling unit per acre,
- The site yields fifty (50) units or more,
- The site is located within an approved sewer service area.

Residential projects for which these criteria are not applicable may still provide affordable dwelling units at the developer's option in order to take advantage of zoning district regulations applicable to affordable dwelling units. All affordable dwelling units must be of the same structure type as the rest of the units in such developments.

**Developments Exempt from the Affordable Dwelling Unit Program (2-803):**

- Any multiple family dwelling unit or housing for the elderly structure with four stories or more and having an elevator.
- Rezoning and special exception applications or amendments thereto, approved before July 31, 1990, which are subject to the following:
  - Proffered or approved generalized, conceptual, or final development plans or development plans or special exception plats which contain a lot layout,
  - A proffered or approved total maximum number of dwelling units, or FAR,
  - A proffered or approved unit yield per acre that is less than the number of units per acre otherwise permitted by the zoning district regulations.
- Amendment applications filed after 12:01 a.m., July 31, 1998 which deal exclusively with issues of building relocation, ingress/egress, storm water drainage or other engineering or public facilities issues, the preservation of historic structures, child care facilities, changes in the size of units, a reduction in the number of units, or a change in unit type which proposes no increase in density over previous approvals, or which request the addition of a special exception or special permit use.
- Amendment applications filed after 12:01 a.m., March 31, 1998, which add land area to a previously exempt development, provided such additional land area shall be subject to Sect. 2-802.

- Site plans filed and preliminary subdivision plats approved on or before July 31, 1990, provided that the conditions of 2-803 (5) are met.

**Affordable Dwelling Unit Adjuster (2-804):**

- For single family attached or detached units:
  - A 20% increase in the upper and lower end of the density range permitted in the Comprehensive Plan.
  - Up to 12.5% of all units to be built on site are to be affordable dwelling units based on a sliding scale which relates the percentage of ADUs required to the density above the low end of the density range in the Comprehensive Plan actually achieved. For developments where affordable dwelling units are optionally provided the percentage is fixed at 12.5 percent.
- For non-elevator multiple family units or elevator multiple family unit structures of three stories or less:
  - A 10% increase in the upper and lower end of the density range permitted in the Comprehensive Plan.
  - Up to 6.25% of all units to be built on site are to be affordable dwelling units based on a sliding scale which relates the percentage of ADUs required to the density above the low end of the range in the Comprehensive Plan actually achieved. For developments where affordable dwelling units are optionally provided the percentage is fixed at 6.25 percent.
- Where the total number of dwelling units to be produced is at or below the low end of the density range specified in the adopted Comprehensive Plan prior to the application of bonus density permitted for affordable dwelling unit developments no ADUs are required and the special zoning district regulations for ADU developments do not apply.

**Specifications (2-809):** The Fairfax County Redevelopment and Housing Authority is designated to develop specifications for the prototype units to be produced and to provide advice on the pricing of those units. The specifications are to be reviewed and approved by the Affordable Dwelling Unit Advisory Board (ADUAB). Specifications have been adopted and periodically revised.

**Establishment of Prices for Sale and Rental Units (2-810 and 2-811):** The County Executive is designated to set prices and rents with appeal to the Board of Supervisors. Rents for multiple family units are set by a formula specified in the ordinance. Prices and rents have been established and are revised on an on-going basis, per the Ordinance provisions.

**Administration of For Sale Affordable Units (2-810, 2-812 and 2-813):**

- The price of units sold on or after March 31, 1998 is controlled for 15 years. The control period for units sold prior to March 31, 1998 may be modified to be 15 years from that date, if the owner so elects; otherwise it is 50 years. This is reflected in a Covenant that must be recorded on the development before any units are offered or sold.
- Fairfax County Redevelopment and Housing Authority (FCRHA) has the exclusive right to purchase up to 1/3 of the affordable units in a development.
- The remaining 2/3 and any units not purchased by the FCRHA are offered to people who meet eligibility criteria set by the FCRHA.

- The FCRHA and designated non-profit organizations have a right to purchase unsold ADUs at specified points during the 90 day period.
- The FCRHA also has an option to acquire units offered for resale after 30 days and a first right of refusal to acquire a unit at the first sale following expiration of the control period.
- Purchasers must occupy the unit as their domicile and provide an affidavit of continuing occupancy to the FCRHA on an annual basis.
- At the first sale or resale after the expiration of the control period one half of the difference between the net sales price and the initial price plus the gain permitted during the control period must be contributed to the Housing Trust Fund to promote the development of affordable housing.

**Administration of Rental Affordable Units (2-811, 2-812 and 2-813):**

- The Fairfax County Redevelopment and Housing Authority has the right to lease 1/3 of the affordable single family attached or detached units.
- In multiple family developments, 1/3 of the affordable units are to be leased to eligible households at rents affordable to households with incomes up to 50% of the Metropolitan Statistical Area median, with state or local subsidies, and the balance of the affordable units to those who meet program income criteria (70% of median).
- The rental of units initially leased on or after March 31, 1998 is controlled for 20 years. The control period for ADUs rented prior to March 31, 1998 may be modified to be 20 years from that date if the owner so elects; otherwise it is 50 years. However, for multiple family rentals, after the initial 10 years of the control period, owners of rental properties are able to be released from the requirements of the Ordinance by providing notice and paying to the Fairfax County Housing Trust Fund an amount equivalent to the then fair market value of the land for all bonus and affordable dwelling units and providing relocation assistance to the tenants of affordable dwelling units. The controls will be incorporated in a covenant to be recorded before the first residential use permit for the development is issued.
- Tenants leasing affordable units must meet program eligibility requirements, must occupy the unit as their domicile, may not sublease the unit and must annually verify to the landlord that they continue to meet income and other eligibility requirements. If tenant no longer meets eligibility requirements, fails to provide an affidavit of continuing occupancy, or fails to occupy the unit for a period in excess of 60 days without prior approval, then the lease terminates. However, in any of these cases the landlord may designate another comparable unit as an affordable unit in lieu of terminating the lease.
- Owners of developments with affordable rental units must submit a monthly status report concerning the number of affordable units which are vacant or leased and the tenants occupying the units.

**Phasing of Affordable Dwelling Units to Market Rate Units (2-808):**

- For single family detached or attached developments residential use permits (RUPs) must be issued for all affordable dwelling units before building permits for more than 75% of the market rate units will be issued. Building permits for up to 90% of the market rate units can be allowed by the Zoning Administrator if the ADUs are distributed throughout the development and 75% of the RUPs for the ADUs have been issued at the time of the request. All 100 percent of the Building Permits can be issued by the Zoning Administrator if it can be

demonstrated that this is necessary for the construction of the affordable dwelling units. Bonds and agreements for developments where this relief has been granted shall not be released until all of the ADUs have received RUPs.

- A development which is comprised solely of rental multiple family units shall not be subject to these limitations. However, such developments must submit and have executed a completed Notice of Availability and Offering Agreement prior to the issuance of the first RUP for the development.
- For multiple family developments, RUPs must be issued for all affordable dwelling units before RUPs will be issued for more than 75% of the market rate units. RUPs for up to 90% of the market rate units can be allowed by the Zoning Administrator if the ADUs are distributed throughout the development and 75% of the RUPs for the ADUs have been issued at the time of the request.

**Affordable Dwelling Unit Advisory Board (2-814):**

- Comprised of 9 members:
  - 2 Engineers or Architects,
  - 1 Lender,
  - 1 From Fairfax County Department of Housing and Community Development,
  - 1 Builder of single family detached or attached developments,
  - 1 From Fairfax County Staff,
  - 1 From a non-profit housing group,
  - 1 citizen.
- Responsibilities:
  - Hears and grants requests for modifications to the Program,
  - In extenuating circumstances may permit the substitution of land or cash for the provision of units,
  - No authority to modify or reduce the Affordable Dwelling Units adjuster,
  - No authority to modify the unit specifications,
  - Provides advice on sales and rental prices.

**Subsequent Zoning Ordinance Amendment (2-805):** In order to accommodate the provisions of the ADU program, other amendments to the Zoning Ordinance were required addressing unit type, open space, lot sizes, and bulk regulations for developments which include ADUs.

**Effective Date of the Ordinance (2-821):** The effective date was July 31, 1990. Amendments were adopted, effective March 31, 1998 and July 1, 2002.

**Amendment of Subdivision Ordinance:** In order to conform with the state legislation approving the ADU Program, the Subdivision ordinance has been amended to provide that subdivision plats proposing

development or construction of ADUs shall be processed within 280 days from receipt provided that such plats substantially comply with ordinance provisions when submitted.

## Arlington's Goals and Targets for Affordable Housing<sup>1</sup>

**Goal 1:** Balance support for the elderly and persons with disabilities with a transitional safety net for families with children.

**Target 1A:** Provide assistance to priority households in the following proportions by FY2010:

- 65% to families with children
- 20% for the elderly, and
- 15% for persons with disabilities.

**Target 1B:** Provide permanent housing to at least 95% of sheltered homeless elders and families with children and for 65% of the sheltered homeless persons with disabilities by FY2010.

**Goal 2:** Ensure through all available means that all housing in Arlington County is safe and decent.

**Target 2A:** Ensure that 100% of multi-family rental housing units have no major violations that are not corrected within the standard time permitted by the appropriate code enforcement agency by FY2010.

**Target 2B:** Reduce the rates of major violations in multi-family rental housing by 10% each year.

**Target 2C:** Conduct annual common area inspections of all multi-family rental complexes over 20 years old.

**Target 2D:** Conduct annual full code inspections on 5% of all multi-family rental units over 30 years old.

**Goal 3:** Permit no net loss of committed affordable housing, and make every reasonable effort to maintain the supply of affordable market rate housing.

**Target 3A:** Replace all 73 committed affordable housing units expiring by FY2010.

**Target 3B:** Expand the County's total housing supply by at least 13,000 units by FY2010.

**Target 3C:** Help maintain the supply of affordable housing by assisting an average of 400 net new committed affordable housing units per year, especially the preservation of existing affordable housing through partnerships with nonprofit housing providers, while meeting the targets for goals 4, 5, 6 and 7.

**Target 3D:** Encourage for-profit developers to provide at least 10% of all new units in residential site plan projects as affordable. If the density bonus is used, target 50% of the bonus units as affordable.

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<sup>1</sup> All changes from the phrasing of the targets in the January 2003 web-based report are highlighted and in italics, with lines through deleted wording.

**Target 8:** Reduce all indications of housing discrimination to zero by FY2010, as measured by annual fair housing testing.

**Goal 9:** Provide housing services effectively and efficiently.

**Target 9A:** *ANNUAL HOUSING REPORT:* By December 2004, develop and release the County's first easily accessible, comprehensive annual affordable housing report that will provide the public information on the County's progress toward meeting its affordable housing goals and targets on a fiscal year basis. Provide a preliminary report showing FY 2003 performance toward goals by June 2004.

**Target 9B:** *ON-LINE APARTMENT GUIDE:* By the end of FY 2004, arrange for a searchable, computerized listing of rental units, available on-line and accessible at various locations throughout the County (e.g., libraries, recreation centers, etc.).

**Target 9C:** *ORGANIZATIONAL INTEGRATION:* Integrate housing development activities with other housing efforts in one department by FY2003.

Approved by the County Board  
December 6, 2003